

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

REGINALD L. SHUMPERT,)	
)	
Movant,)	
)	No. 1:22-cv-00011-SNLJ
v.)	
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This closed habeas corpus matter is before the Court on self-represented movant Reginald L. Shumpert's "Motion 28 U.S.C. § 1631." In his motion, he asks the Court to "transfer the petition to the United States Court of Appeals for the Eighth Circuit pursuant to 28 U.S.C. § 1631."

Section 1631 states:

Whenever a civil action is filed in a court as defined in section 610 of this title or an appeal, including a petition for review of administrative action, is noticed for or filed with such a court and that court finds that there is a want of jurisdiction, the court shall, if it is in the interest of justice, transfer such action or appeal to any other such court . . . in which the action or appeal could have been brought at the time it was filed

28 U.S.C. § 1631.

Petitioner brought this § 2255 case on January 25, 2022. This Court had jurisdiction over this habeas matter. The Court denied and dismissed the habeas corpus motion as successive. The Court did not issue a certificate of appealability. *See* Doc. 8. Movant has petitioned the Eighth Circuit Court of Appeals at least five times for authorization to file a successive habeas application in the district court. These motions have all been denied. *See* Docs. 19, 21, 23, 26, 28.

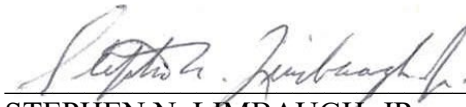
Movant now seeks to use §1631 to transfer this action to the Eighth Circuit Court of Appeals. The motion will be denied. As a threshold matter, for a transfer under § 1631, the action

would have had to have been filed in the wrong jurisdiction. That is not the case here. Movant properly filed this §2255 case in this jurisdiction, which is “the court which imposed the sentence.” *See* 28 U.S.C. § 2255(a). Because his motion was properly filed in this Court, the Court will deny his motion to transfer this matter under § 1631 to the Eighth Circuit Court of Appeals.

Accordingly,

IT IS HEREBY ORDERED that movant’s motion to transfer this action to the Eighth Circuit Court of Appeals pursuant to 28 U.S.C. § 1631 is **DENIED**. [ECF No. 30]

Dated this 26th day of August, 2024.

A handwritten signature in cursive script, reading "Stephen N. Limbaugh, Jr.", is written over a horizontal line.

STEPHEN N. LIMBAUGH, JR.
SENIOR UNITED STATES DISTRICT JUDGE